TL7415-2

PRIME MINISTER

28 July 1992

Mrs Helen Todd
426-A Lengkok Bawah
Bukit Gelugor
Penang 11700
MALAYSIA

Dear Mrs Todd

Further to my letter to you of 26 March I am writing to inform you that we have now received a formal explanation from the Indonesian Government regarding the circumstances surrounding Kamal's death.

The message we have received from Indonesia reads as follows:

> "The Department of Foreign Affairs of the Republic of Indonesia presents its compliments to the Embassy of New Zealand and with reference to its Note No. D 746/91/24 of 30 November 1991 has the honour to provide the following explanation on the circumstances surrounding the death of Mr Kamal Bamadhaj.
>
> The Department wishes first of all to re-emphasise that the tragic incident which took place in Dili, East Timor, on 12 November 1991 did not in any way reflect the policy of the Government nor that of the Indonesian Armed Forces command neither were the shootings that took place ordered by the Government or by the Armed Forces Command. President Soeharto, on behalf of the Government and the entire nation, has immediately and repeatedly expressed deep regret over the incident, in particular the unfortunate loss of lives that it has caused.

The circumstances surrounding his death were as follows:

a Mr Bamadhaj arrived in Dili as a tourist in October 1991 and early in the day on 12 November 1991, he was already seen in the Motael Church before the mass began.

b The presence of Mr Kamal Bamadhaj in the midst of demonstrators, along with seven other foreign nationals in Dili could only be perceived as being with the intention of participating in the demonstration of 12 November 1991.

c He was seen to be actively engaged in fomenting and encouraging the demonstrators to be defiant to the security officers along the way from the Church to the Santa Cruz Cemetery.

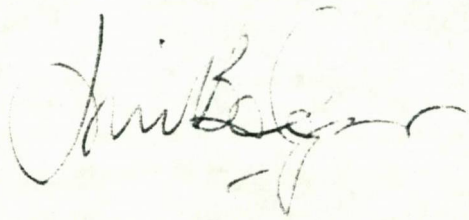
It was in such a chaotic and hostile atmosphere that unfortunately the spontaneous and unauthorised shootings took place resulting regrettably in a number of casualties, including Mr Kamal Bamadhaj. We regret the fact, that by actively participating in such a demonstration he had actually endangered himself unnecessarily. He has also acted contrarily to his formal request of entry into Indonesia as a tourist. The department of Foreign Affairs further wishes to explain that members of the Security Forces who resorted to the excessive use of force during that incident have been court-martialed.

The Department of Foreign Affairs of the Republic of Indonesia expresses once again its deepest regret over Mr Kamal Bamadhaj's unfortunate death and avails itself of this opportunity to renew to the Embassy of New Zealand the assurances of its highest consideration."

Although you may not necessarily agree with the comments made in the Indonesian message, I hope you will agree that there has been deep regret and sincere remorse by those persons at the highest level of the Indonesian Government over the tragic events in Dili.

I have also written to Kamal's father to let him know the outcome of our request.

Yours sincerely



Rt Hon J B Bolger
Prime Minister